3:13cv252
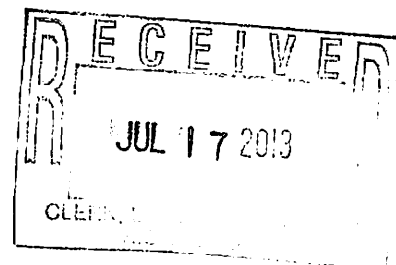
Mary Bettina Cameron
129523
Virginia Peninsula Regional Jail
9320 Merrimac Trail
Williamsburg, VA 23185-8784

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

MARY BETTINA CAMERON,

     Plaintiff,

v.   Civil Action No. **3:13CV252**
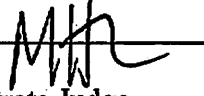
UNKNOWN,

     Defendant.

MEMORANDUM ORDER

Petitioner, a Virginia inmate proceeding *pro se*, submitted this civil action and requests leave to proceed *in forma pauperis*. It is ORDERED that:

1.   The action is CONDITIONALLY FILED;

2.   It is not clear from Plaintiff's submissions whether she wishes to pursue a civil rights action challenging the conditions of her confinement under 42 U.S.C. § 1983 or a petition for a writ of habeas corpus under 28 U.S.C. § 2241. "[T]he settled rules [provide] that habeas corpus relief is appropriate only when a prisoner attacks the fact or duration of confinement, see *Preiser v. Rodriguez*, 411 U.S. 475 (1973); whereas, challenges to the conditions of confinement that would not result in a definite reduction in the length of confinement are properly brought" by some other procedural vehicle. *Olajide v. B.I.C.E.*, 402 F. Supp. 2d 688, 695 (E.D. Va. 2005) (emphasis omitted) (internal parallel citations omitted) (citing *Strader v. Troy*, 571 F.2d 1263, 1269 (4th Cir. 1978)). Accordingly, the Clerk is DIRECTED to send the forms for filing such actions to Plaintiff. Plaintiff must complete the forms for **either** a 28 U.S.C. § 2241 petition **or** a 42 U.S.C. § 1983 action and return the same to the Court within fifteen (15) days of the date of entry hereof. Failure to complete an appropriate form and return the same to the Court within fifteen (15) days of the date of entry hereof will result in the dismissal of the action.

The Clerk is DIRECTED to send a copy of the Memorandum Order to Plaintiff.

And it is so ORDERED.

Date: 7/1/13   /s/ _____
Richmond, Virginia   M. Hannah Lauck
                                               United States Magistrate Judge

IN
BROAD STREET, SUITE 3000
IND, VIRGINIA 23219-3528
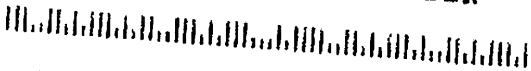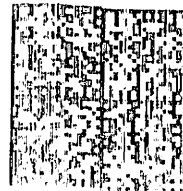OFFICIAL BUSINESS

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RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
RETURN TO SENDER

U.S. MARSHALS
INSPECTED

Hasler

US POSTAGE

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